UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

JEFFERSON-PILOT LIFE INSURANCE

COMPANY, : Case No. C-1-02-479

.

Plaintiff, : (Judge Spiegel)

(Magistrate Judge Hogan)

VS.

: <u>PLAINTIFF'S RESPONSE TO</u>

CHRISTOPHER L. KEARNEY, : <u>DEFENDANT'S MOTION FOR A</u>

RULE 16 CONFERENCE

Defendant.

Defendant has filed a Motion for a Rule 16 Conference with the Court.

Defendant did not state the purpose of the conference. Plaintiff agrees however that a

brief conference to discuss status and the pending Motions for Summary Judgment may

be helpful.

Respectfully submitted,

/s William R. Ellis

William R. Ellis (0012279) Amy Gasser Callow (0063470) Wood & Lamping LLP 600 Vine Street, Suite 2500 Cincinnati, OH 45202-2491 (513) 852-6000

Trial Attorneys for Plaintiff
Jefferson-Pilot Life Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed with the Court by electronic means on this 8th day of December, 2005. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Amy Gasser Callow
Amy Gasser Callow
Trial Attorney for Plaintiff
Jefferson-Pilot Life Insurance Company

259207.1